

REMARKS

Claims 1 – 11 and 29 – 38 are pending. Examiner has indicated that claims 9 – 11 are allowable and has finally rejected claims 1 – 8 and 29 – 38. Applicants respectfully request reconsideration of the final rejection of these claims in light of the following comments. These comments could not have been provided earlier in prosecution because it was not until Applicants received and reviewed Examiner's Response to Arguments that it became clear to Applicants Examiner's position regarding the prior art –which position Applicants respectfully traverse below.

Claim 1 recites a "thin conductive film," a "phase change material" and an "electrically resistive interface" between the two. Claim 1 was previously amended to recite that "the thickness of the conductive film is less than the thickness of the layer of phase change material at the interface." Claim 1 and claims 2 – 8 that depend therefrom were rejected as being anticipated by U.S. Patent Application Publication No. 2005/0029503 to Johnson ("Johnson"). For Examiner's convenience, Figure 1 of Johnson is reproduced below. As Examiner noted in the Final Office Action, conductive film 34 interfaces with phase change material 36 under layer 38. This interface has been marked with a circle below.

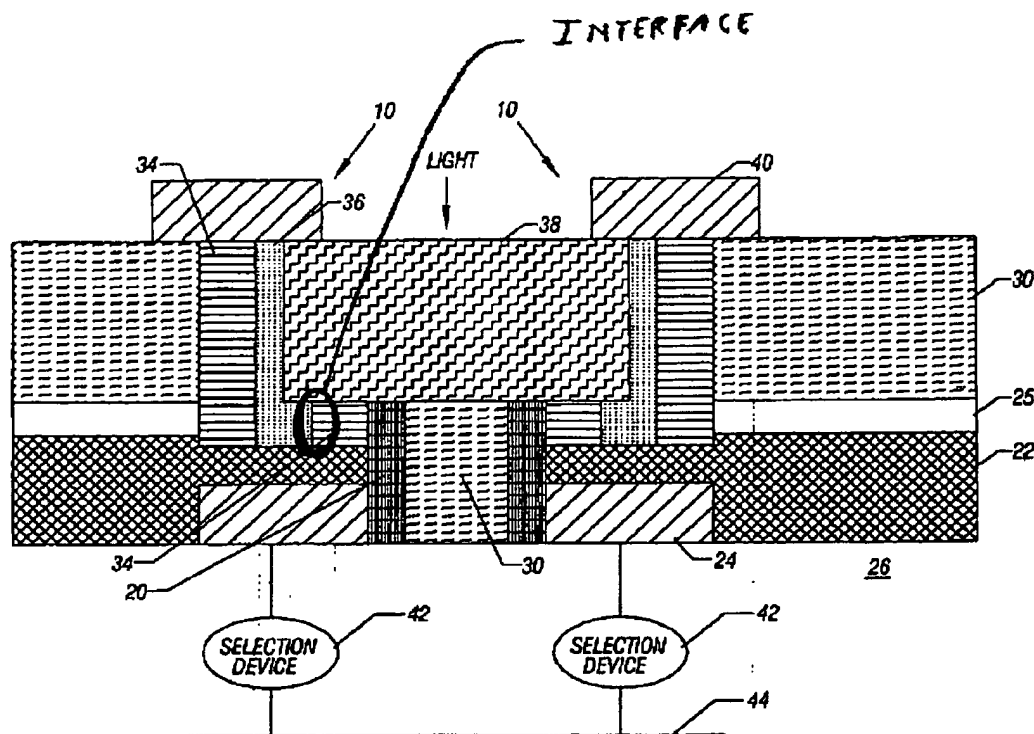


FIG. 1

Patent Application Publication Feb. 10, 2005 Sheet 1 of 7

US 2005/0029

Note that at the interface between conductive layer 34 and phase change material 36, the thickness of the phase change material is the same as the thickness of the conductive layer 34. This is to be expected because, as previously pointed out, Johnson teaches that phase change material 36 is grown conformally on conductive layer 34 (Paragraphs 0028).

Recall, however, that claim 1 requires that “the thickness of the conductive film is less than the thickness of the layer of phase change material at the interface.” This limitation is not met in Johnson because, at the interface, the thickness of the conductive film is the same as the thickness of the phase change material at the interface. Hence, the rejection of claims 1 – 8 should be withdrawn.

Claim 29 also recites that "the thickness of the thin film is less than the thickness of the phase change material layer at the interface." For the same reasons as provided above, this limitation is not shown in Johnson and claims 29 and claims 30 – 35 that depend therefrom should be allowed.

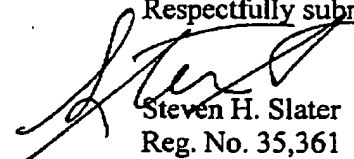
Claim 36 has been amended to also recite that the thin film is thinner at the interface than is the phase change material at the interface.

Reconsideration and withdrawal of the final rejection is respectfully requested.

No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

December 19, 2005

Respectfully submitted,



Steven H. Slater
Reg. No. 35,361
Attorney for Applicants

Slater & Matsil, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, TX 75252
Tel: 972-732-1001
Fax: 972-732-9218